

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

KERRY SHANNON,)	CIVIL NO. CV04-00086 SPK/LEK
)	
Plaintiff,)	DECLARATION OF RANDALL Y.
)	YAMAMOTO
vs.)	
)	
CITY AND COUNTY OF HONOLULU;)	
HONOLULU LIQUOR COMMISSION;)	
DENNIS ENOMOTO; in his official)	
capacity as chairman of the)	
Honolulu Liquor Commission;)	
WALLACE W. WEATHERWAX,)	
individually and in his)	
capacity as an agent and)	
employee of the Honolulu Liquor)	
Commission; JOHN CARROLL,)	
individually and in his)	
capacity as an employee of the)	
Honolulu Liquor Commission;)	
ANNA HIRAI, individually and in)	
her capacity as an employee of)	
the Honolulu Liquor Commission;)	
ALLAN GAYLORD, individually and)	
in his capacity as an employee)	
of the Honolulu Liquor)	
Commission; JOHN DOES 1-10,)	
JANE DOES 1-10; DOE)	
CORPORATIONS)	
1-10; DOE PARTNERSHIPS 1-10;)	
DOE GOVERNMENTAL AGENCIES 1-10,)	
)	
Defendants.)	
)	
)	

DECLARATION OF RANDALL Y. YAMAMOTO

I, RANDALL Y. YAMAMOTO, declare as follows:

1. I am an attorney licensed to practice law before all the state and federal courts in the State of Hawaii and am one of the attorneys for Defendants CITY AND COUNTY OF HONOLULU,

HONOLULU LIQUOR COMMISSION, DENNIS ENOMOTO, in his official capacity as chairman of the Honolulu Liquor Commission, WALLACE W. WEATHERWAX, individually and in his capacity as an agent and employee of the Honolulu Liquor Commission, JOHN CARROLL, individually and in his capacity as an employee of the Honolulu Liquor Commission, ANNA HIRAI, individually and in her capacity as an employee of the Honolulu Liquor Commission, and ALLAN GAYLORD, individually and in his capacity as an employee of the Honolulu Liquor Commission (herein after referred to collectively as "Defendants") in the above-entitled action.

2. This Declaration is made in lieu of an affidavit pursuant to Local Rule 7.6, Rules of the United States District Court for the District of Hawaii, as amended.

3. I make this Declaration in support of Defendants City and County of Honolulu, Honolulu Liquor Commission, Dennis Enomoto, Wallace W. Weatherwax, John Carroll, Anna Hirai, and Allan Gaylord's Motion to Dismiss or in the Alternative for Summary Judgment, filed herein.

4. Attached hereto as Exhibit "A" is a true and correct copy of Plaintiff's Response to Defendant City and County of Honolulu's First Request for Answers to Interrogatories to Plaintiff Kerry Shannon.

5. Attached hereto as Exhibit "B" are true and correct copies of pages 30-34, 38-48, 52-54, 57-58, 79-80, 94-95, 99-102, and 104-108 from the deposition transcript of Plaintiff Kerry Shannon's oral deposition (Volume II) that I attended and participated in on May 23, 2006, in Seattle, Washington.

6. Attached hereto as Exhibit "C" are true and correct copies of pages 63-68, 82, 90, 93-94, 97-99, 103-105, 114-116, and 141-142 from the deposition transcript of Plaintiff Kerry Shannon's oral deposition (Volume I) that I attended and participated in on May 22, 2006, in Seattle, Washington.

7. Attached hereto as Exhibit "D" are true and correct copies of pages 15-16 from the deposition transcript of Robert Shannon's oral deposition that I attended and participated in on May 22, 2006, in Seattle, Washington.

8. Attached hereto as Exhibit "E" are true and correct copies of "Document Details" that my office obtained from the Hawaii State Judiciary Hoohiki website pertaining to the lawsuit entitled Sun Ae Clarke, et al. v. City and Count of Honolulu, et al., Civil No. 00-1-1829, in which Plaintiff Kerry Shannon was sued by Rainbow Country Liquors.

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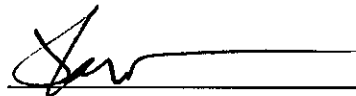
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9. According to the Hawaii State Judiciary Hooiki website, the complaint was filed on June 9, 2000, Plaintiff was served on June 22, 2000, and filed an answer to complaint on July 24, 2000.

I declare under penalty of law that the foregoing is true and correct to the best of my knowledge and belief.

DATED: Honolulu, Hawaii, December 20, 2006.



RANDALL Y. YAMAMOTO